

1 **SAO**
2 BYRON E. THOMAS, ESQ. (NBN 8906)
3 E-mail: byronthomaslaw@gmail.com
4 LAW OFFICES OF BYRON THOMAS
5 3275 S. Jones Blvd, Ste 104
6 Las Vegas, Nevada 89146
7 Telephone: 702 747-3103
8 *Attorneys for Defendants*

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF, NEVADA**

8 HILLCREST INVESTMENTS, LTD., a
9 Canadian Corporation; AMERGOSA
10 ENTERPRISE, LLC.,
11 Plaintiffs,

11 vs.

12 AMERICAN BORATE COMPANY a foreign
13 corporation; AMERICAN BORATE COMPANY
14 OF TEXAS a foreign corporation, STATE
15 ENGINEER, STATE OF NEVADA,
16 DEPARTMENT OF CONSERVATION AND
17 NATURAL RESOURCES, DIVISION OF
18 WATER RESOURCES, A Nevada Political
19 Subdivision; RAMM Corporation, a Nevada
20 Corporation; UNITED STATES FISH AND
21 WILD SERVICE a division of the UNITED
22 STATES; NATIONAL PARK SERVICE, a
23 division of the UNITED STATES; and DOES I-
24 V, ROES VI-X,

20 Defendants.

Case No 2:21-cv-00964-RFB-NJK

**STIPULATION TO EXTEND DEADLINE
TO FILE RESPONSE TO UNITED
STATES FISH AND WILDLIFE SERVICE
AND THE NATIONAL PARK SERVICE
MOTION TO DISMISS
(THIRD REQUEST)**

22 **COMES NOW**, Plaintiffs and Defendants United States Fish and Wildlife Service and the
23 National Park Service (collectively, “Federal Defendants”) by and through their respective
24 attorneys of record hereby stipulate and agree as follows:

25 n June 21, 2021, the Federal Defendants filed a Motion to Dismiss (“Motion”). *See* (ECF
26 No. 17). Plaintiff’s response to the Motion was due on July 6, 2021. The parties agreed to extend
27 the response deadline to July 14, 2021. *See* (ECF No. 24). The parties also stipulated that the
28

1 Federal Defendants' Reply would be due on July 26, 2021. Id. The Court granted the stipulation
2 See (ECF No. Dkt No 26).

3 The parties made a second request to accommodate workload and scheduling conflicts for
4 Plaintiff's counsel, which could not be resolved during the first extension. The parties have agreed
5 Plaintiff would have until July 21, 2021 to respond, and the Federal Defendants would have to
6 August 13, 2021 to file a Reply. The additional time for the Reply is needed so as not to prejudice
7 the Federal Defendants as their counsel will be in depositions from July 26, 2021-August 6, 2021.
8 The Court granted the stipulation. ECF No. 28.

9 ///

11 ///

13 ///

15 ///

17 ///

19 ///

21 ///

23 ///

25 ///

27 ///

1 The parties now make a third request to accommodate workload and scheduling conflicts
2 for Plaintiff's counsel, which could not be resolved during the first extension. The parties have
3 agreed Plaintiff would have until July 28, 2021 to respond, and the Federal Defendants do not
4 request any additional time to reply and thus agree that their reply shall remain due on August 13,
5 2021. This is the third request.

6
7 **LAW OFFICES OF BYRON
THOMAS**

8
9 /s/ David L. Negri


/s/ Byron E. Thomas

10 **CHRISTOPHER CHIOU**
Acting United States Attorney
District of Nevada
11 **GREG ADDINGTON**
Assistant United States Attorney
12 **JEAN E. WILLIAMS**
Acting Assistant Attorney General
U.S. Department of Justice
13 **DAVID L. NEGRI,**
Trial Attorney Environment and
14 Natural Resources Division
U.S. Attorney's Office 1290 West
15 Myrtle Street, Suite 500 Boise,
16 Idaho 83702 (208) 334-1936

Byron E. Thomas, Esq.
Bar # 8906
3275 S. Jones Blvd. Ste. 104
Las Vegas, NV 89146

Attorney for Plaintiffs

17
18
19 **IT IS SO ORDERED.**

20
21 
22 **RICHARD E. BOULWARE, II**
23 **United States District Court**
24 DATED this 24th day of July, 2021.
25
26
27
28